



Brussels, 24 January 2020

Dear Executive Vice-President Vestager,
 Dear Commissioner Breton,
 Dear Commissioner Reynders,
 Dear Commissioner Jourová,

We wish you the best of luck as you settle into your new roles. Digitisation is quite rightly an important priority for this Commission, and as you know, one of the key issues on the agenda for industry is the proposal for an ePrivacy Regulation.

The significance of ePrivacy cannot be underestimated – a successful single market requires Europeans' trust that their privacy is valued and protected. At the same time, there remain serious concerns as to how the ePrivacy proposal tries to achieve this goal, as expressed clearly by many Member States at the Telecommunications Council meeting of 3 December. It is now up to the new Commission to assess the future of the current proposal.

With the new Commission's vision to enable a comprehensive long-term strategy for Europe's industrial future, now is the time to think big, withdraw the current proposal and put forward a revised one that can remedy its pitfalls in line with the reality of today's digital communications.

By creating different rules and disjointed legal bases, the current ePrivacy proposal would make it impossible or exceedingly difficult for responsible businesses to process data based on the careful balance achieved by the General Data Protection Regulation. This would impact Europe's ability to lead digital research and innovation for both consumers and business, including in many beneficial IoT and AI use cases.

An inflexible and incoherent approach to vital digital innovation can only damage Europe's competitiveness. Industry across sectors of the European economy – from automotive to communications agencies, construction equipment, e-commerce, home appliances, ICT, insurance, medical technology and telecoms – remains convinced that unless the Commission undertakes a fundamental reconsideration of the proposal, we will only stand to lose.

The protection of fundamental rights is possible without discarding the GDPR's risk-based and technology-neutral approach – and lessons learned since the GDPR's application are crucial if we want to make Europe truly fit for the digital age.

Our associations hope you will understand the need to rethink the ePrivacy proposal in a way that embraces the new Commission's ambitions and are ready to support you in a new approach to protecting privacy and confidentiality in Europe.

This letter has been signed by the following associations:

- ACEA – European Automobile Manufacturers' Association acea.be
- APPLiA – Home Appliance Europe applia-europe.eu
- CECE – Committee for European Construction Equipment cece.eu
- CLEPA – European Association of Automotive Suppliers clepa.eu
- COCIR – European Coordination Committee of Radiological, Electromedical and Healthcare IT Industry cocir.org
- DIGITALEUROPE digitaleurope.org
- EACA – European Association of Communication Agencies eaca.eu
- Ecommerce Europe ecommerce-europe.eu
- ECTA – European Competitive Telecommunications Association ectaportal.com
- EDiMA edima-eu.org
- EGBA – European Gaming & Betting Association egba.eu
- EU Travel Tech eutraveltech.eu
- EuroCommerce eurocommerce.eu
- EuroISPA euroispa.org
- European Holiday Home Association ehha.eu
- European Tech Alliance eutechalliance.eu
- EVIA – European Ventilation Industry Association evia.eu
- FEDMA – Federation of European Direct and Interactive Marketing fedma.org
- FESI – Federation of the European Sporting Goods Industry fesi-sport.org
- Insurance Europe insuranceeurope.eu
- ISFE – Interactive Software Federation of Europe isfe.eu
- PostEurop posteurop.org
- SMEunited – Crafts & SMEs in Europe smeunited.eu